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SENT TO: Amconsul GENEVA ~~TOP SECRET~~ 271 PRIORITY

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DEPT and USUN prepared move to SC on basis contingency one (paras 1 to 11 of draft study "Possible Reference of Berlin Question to the UN" circulated to delegation by Wilcox) as soon as ~~intended~~ decision taken to do so. This portion paper fully agreed among US, UK and French representative Washington, but final Geneva essential. (On basis discussions here, anticipate no difficulty with UK and French, since we understand Couve de Murville has personally approved first contingency section of paper cited above, and UK Embassy has expressed general agreement.)

Should note first contingency involves SC initiative by Western powers prior to Soviet unilateral action affecting status Berlin. Time obviously of essence in such recourse. Since important consideration is tendency in UN to support status quo, West would have maximum advantage in seizing SC of problem as soon as negotiations break down but before USSR takes any kind unilateral action. This time gap may prove very short and we must, therefore, be prepared move promptly in SC if circumstances of break-off seem to require such action.

Main

TO

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Main focus Western initiative in this situation would be SC resolution calling on all parties to refrain from unilateral action affecting status of Berlin. (See Tab B of draft study "Possible Reference of Berlin Question to UN").

In discussing desirability SC recourse with UK and French ministers, suggest following problems be borne in mind:

1. Draft resolution takes into account assumed inevitability SC discussion will include reference to need for further negotiations, although this point, of course, would be given far less emphasis than potential dangers of unilateral action. In passing judgment re desirability proceeding along lines contingency paper, Western Ministers should fully recognize probability SC discussion will involve proposals for "summit" negotiations from neutral and perhaps allied sources, without regard to need for adequate advance preparations. At same time, Ministers should also be aware Geneva breakdown will almost certainly cause immediate pressure in NY for UN consideration. DEPT continues believe Western initiative for SC consideration would be preferable, provided West can move before any Soviet announcement of changed relationship with Berlin or East Germany.

2. If Soviets take unilateral action before Western powers can convene SC meeting, we will face altogether different situation, described by contingency two (paras. 12 to 16) of draft study cited above. No definite UK or French comments yet received on this portion of paper.

3. Despite tripartite consensus SC initiative most effective if undertaken prior any Soviet unilateral action, procedure envisaged under contingency one of draft study

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study assumed total "breakdown" of negotiations without agreement on resumption at any level. Agreement on "recess" ~~would~~ introduce new element into situation.

Heidelberg

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